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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/743,204

Applicant(s)

JANSSEN, CRAIG N.

Examiner

FREDA A. NELSON

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1,3-5,7-24 and 26-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,7-24 and 26-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/06)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

The amendment received on 17 February 2010 is acknowledged and entered. Claims 1, 7, 15-17, 22, 24, and 27 have been amended. Claims 2, 6, and 25 have been cancelled. No claims have been added. Claims 1, 3-5, 7-24, and 26-34 are currently pending.

Response to Amendment and Arguments

1. Applicant's arguments filed 17 February 2010 have been fully considered but they are not persuasive.
2. Applicant's amendments filed 17 February 2009, with respect to the objection to the Abstract, have been fully considered and are persuasive. Thus, the objection to the Abstract has been withdrawn.
3. Applicant's amendments, filed 17 February 2010 with respect to the rejections of claims 1, 15, 22, and 24 under 35 U.S.C. 112 have been fully considered and are persuasive. Thus, the rejections of claims 1, 15, 22, and 24 under 35 U.S.C. 112 have been withdrawn.
4. In response to Applicant's argument that in regards to claim 1, the cited references do not describe the step of "generating a schedule of construction projects associated with a corresponding plurality of facilities in a complex, where generating the schedule comprises, for each construction project, receiving from a user an identification of one of a plurality of phases during which the construction project would occur", the Examiner respectfully disagrees. Elliot discloses in FIG. 2C (126 and 128) that if the proposal needs to be revised, the user chooses the phase and step, and then goes to 104 (FIG. 2C [126],[128]). Elliot further discloses for a remodel, the user selects the appropriate phase and step for the remodel (col. 10, lines 6-10). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Adams et al. to include the ability to go through a series of phases and steps to create a complete cost estimate model as taught by Elliot in order to get a more detailed construction proposal.

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5. In response to Applicant's argument that "clearly, the system described in Elliot identifies for its user the phases and steps of a construction project. This is the opposite of the method recited in amended Claim 1, which receives from a user an identification of a phase during which a construction project will occur, the Examiner respectfully disagrees. Elliot discloses in FIG. 2C (126 and 128) that if the proposal needs to be revised, the user chooses the phase and step, and then goes to 104 (FIG. 2C [126],[128]. Elliot further discloses for a remodel, the user selects the appropriate phase and step for the remodel (col. 10, lines 6-10). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Adams et al. to include the ability to go through a series of phases and steps to create a complete cost estimate model as taught by Elliot in order to get a more detailed construction proposal.
6. In response to Applicant's argument that claims 1, 15, 22, and 24 (and their dependent claims) are patentable over them cited references, the Examiner respectfully disagrees for reasons stated above regarding claim 1.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. **Claims 24 and 26-31** are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.
8. **Claims 24 and 26-31** require a computer program embodied on a computer readable medium, which stores a program. The specification does not set forth what constitutes a computer readable medium, and therefore, in view of the ordinary and customary meaning of computer readable media and in accordance with the broadest reasonable interpretation of the claim, said

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medium could be directed towards a transitory propagating signal per se and considered to be non-statutory subject matter. See *In re Nuijten*, 500 F.3d 1346, 1356-57 (Fed. Cir. 2007) and Interim Examination Instructions for Evaluating Subject Matter Eligibility Under 35 U.S.C. 101, Aug 24, 2009, p. 2. Claims that recite nothing but the physical characteristics of a form of energy, such as a frequency, voltage, or the strength of a magnetic field, define energy or magnetism, per se, and as such are nonstatutory natural phenomena. *O'Reilly*, 56 U.S. (15 How.) at 112-14. Moreover, it does not appear that a claim reciting a signal encoded with functional descriptive material falls within any of the categories of patentable subject matter set forth in §101. Please refer to MPEP 2111.01 and the USPTO's "Subject Matter Eligibility of Computer Readable Media" memorandum dated January 26, 2010,

http://www.uspto.gov/patents/law/notices/101_crm_20100127.pdf.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1, 3-5, 7-10, 13-18, 20-22, 24, 26-28, 30-31 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Adams et al.* (US 6,154,730), in view of *Christianitytoday.com*, in further view of *Hertzel-Szabadi* (US PG Pub. 2003/0233267), in view of *Elliot* (US 6,446,053). still in further view of *Churchgrowthsoftware.com*, still in further view of *Rifaat* (US PG Pub. 2002/0147623).

10. As per claim 1, *Adams et al.* disclose a method, comprising:

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a memory operable to store information identifying a plurality of facilities in a complex, each facility associated with a construction project (col. 1, lines 41-44; col. 3, lines 38-57); and

a processor configured to perform the steps of:

determining a potential revenue associated with at least one of the facilities (abstract; col. 1, lines 46-51);

determining a cost associated with at least one of the facilities (col. 1, lines 46-51); and

wherein the processor is configured to output the results of the previous steps onto a computer readable medium (col. 4, lines 32-47).

Adams et al. does not expressly disclose wherein the complex comprises a church and at least one of the facilities comprises an auditorium of the church; and

wherein determining, the potential revenue comprises: estimating future growth in a number of people attending church services at the church.

Christianitytoday.com discloses a new sanctuary should seat twice the number of people in your current building (Page 1) {Which the Examiner interprets as estimating growth will be at least twice the number of current people attending church services} ; a formula used to compute the size of a church complex; and spreading the calculations throughout the sanctuary, meeting rooms, nurseries, and educational space of your church complex (page 2); and form a committee to decide how much money can be raised for the building project and bring those recommendations to the finance committee, which then can put together a financial package that takes into account current and projected debt levels, income from fundraising efforts and loan packages, and makes its own recommendation about the church's financial limitations (Page 4). It would have been obvious to one of ordinary skill in the art at the time the invention was made would have recognized that the results would be predictable when modifying the invention of *Adams et al.* to include the features of *Christianitytoday.com* in order to give reasonable and reliable construction

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financing quotes based on forecasted receipts from the growth trend study and giving analysis.

Adams et al., in view of *Christianitytoday.com* does not explicitly disclose generating a schedule of the construction projects using the identified potential revenue and the identified cost. *Hertzel-Szabadi* discloses that the project structure with phases (work breakdown structure elements) and the necessary activities (tasks) have to be defined and costs and potential revenues have to be calculated, timelines to be scheduled and probably personnel and other resources soft-booked, in order to be able to do reasonable and reliable quotations that can be fulfilled in case they are accepted by the customer (paragraph [0003]); and the planning of structures, costs, revenues, resources, timeliness etc. can and will normally be refined and detailed during the life cycle of the project 105 (paragraph [0028]). It would have been obvious to one of ordinary skill in the art at the time the invention was made would have recognized that the results would be predictable when modifying the invention of *Adams et al.* to include the features of *Hertzel-Szabadi* in order to give reasonable and reliable construction financing quotes based on forecasted receipts from the growth trend study and giving analysis.

Adams et al. in view of *christianitytoday.com*, and further in view of *Hertzel-Szabadi* does not explicitly disclose for each construction project, receiving from a user an identification of one of a plurality of phases during which the construction project would occur.

Elliot discloses in FIG. 2C (126 and 128) that if the proposal needs to be revised, the user chooses the phase and step, and then goes to 104 (FIG. 2C [126],[128]. *Elliot* further discloses for a remodel, the user selects the appropriate phase and step for the remodel (col. 10, lines 6-10). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of *Adams et al.* to include the ability to go through a series of phases and steps to create a complete cost estimate model as taught by *Elliot* in order to get a more detailed construction proposal.

Adams et al. in view of christianitytoday.com, in view of Hertzelszabadi, in further view of Elliot does not explicitly disclose estimating an amount of donations given to the church during a future time period wherein the estimated amount of donations is based at least in part on the estimated future growth in the number of people attending the church services.

Churchgrowthsoftware.com. discloses software for calculating overall congregation growth and donation trends (page 17 of manual). It would have been obvious to one of ordinary skill in the art at the time the invention was made would have recognized that the results would be predictable when modifying the invention of Adams et al. to include the features of *Churchgrowthsoftware.com* in order to give reasonable and reliable construction financing quotes based on forecasted receipts from the growth trend study and giving analysis.

Adams et al. in view of Christianitytoday.com, and further in view of Hertzelszabadi., in view of Elliot, and still in further view of Churchgrowthsoftware.com does not explicitly disclose wherein the future growth is determined using at least one growth estimate, wherein the growth estimate uses a past growth rate of the church and a potential growth rate of the church.

Rifaat discloses expansion of the span of time covered by a study is next considered. The collection of historical data, and their analysis, can be extended backward to cover past conditions starting from the time of initial inceptions of human settlement in the area of study, or even to earlier pristine conditions. This usually provides 'insights' that could be 'used' in conceiving schemes for future development. Also, the planning horizon may be extended forward in time beyond 20 years. Although prediction tends to be 'more tenuous' for 'longer' periods of time in the future, the exercise of projecting prevailing trends can be used to 'highlight' potential 'problems'. For example one could project population growth for the next 50 years at a certain prevailing rate, although the rate is not expected to continue that long. This is often done in order to illustrate the potential 'adverse' conditions that might materialize if the particular rate of growth continued ([0050]). It would have been obvious to one of ordinary skill in

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the art at the time the invention was made to modify the invention of Adams et al. to include the ability of projecting a potential growth rate by studying growth before implementing a future development.

11. **As per claim 3, Adams et al.** does not explicitly disclose wherein determining the cost associated with at least one of the facilities comprises:

identifying a size of at least one of the facilities based on the estimated future growth in attendance; and

determining a cost of at least one of the construction projects based on the identified size.

Christianitytoday.com discloses a new sanctuary should seat twice the number of people in your current building (Page 1); a formula used to compute the size of a church complex; and spreading the calculations throughout the sanctuary, meeting rooms, nurseries, and educational space of your church complex (page 2); and form a committee to decide how much money can be raised for the building project and bring those recommendations to the finance committee, which then can put together a financial package that takes into account current and projected debt levels, income from fundraising efforts and loan packages, and makes its own recommendation about the church's financial limitations (Page 4). it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Adams et al. to include the features of *Christianitytoday.com* in order to determine how large a new facility should be built and the funds needed for the construction.

12. **As per claim 4, Adams et al.** does not explicitly disclose wherein identifying the size of the at least one facility comprises identifying a plurality of sizes for the at least one facility.

Christianitytoday.com discloses a new sanctuary should seat twice the number of people in your current building (Page 1); a formula used to compute the size of a church complex; and spreading the calculations throughout the

sanctuary, meeting rooms, nurseries, and educational space of your church complex (page 2); and form a committee to decide how much money can be raised for the building project and bring those recommendations to the finance committee, which then can put together a financial package that takes into account current and projected debt levels, income from fundraising efforts and loan packages, and makes its own recommendation about the church's financial limitations (Page 4). it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of *Adams et al.* to include the features of *Christianitytoday.com* in order to determine how large a new facility should be built and the funds needed for the construction.

13. **As per claim 5**, *Adams et al.* disclose the method of claim 1, wherein identifying the plurality of facilities comprises receiving an identification of the facilities from a user (abstract).

14. **As per claim 7**, *Adams et al.* discloses the method of claim 1 above, but does not specifically disclose identifying the cost of each phase.

Elliot discloses that the user computer organizes these time estimates according to the proper order in a construction project, for example, framing (Phase 5) must be completed before other phases can commence, however, some of the following phases can commence simultaneously, such as plumbing and framing (col. 10, lines 34-39; TABLE 1); and after Phase 1 is complete, the application guides the user through the next phase, Phase 2: Begin Site Work in 120 and 122 and in Step 1: Excavation, the application retrieves the square footage of the lot from memory, accesses the regional database, determines average labor rate for excavation subcontractors in that region, determines equipment costs for excavation in that region, and then calculates an estimate for the excavation step, wherein the equipment costs may include rental, fuel, and insurance costs (col. 8, lines 32-44). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention

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of Adams et al. to include the feature of Elliot in order to provide the user with a cost associated with a phase of the construction in order to be certain the funding is available for the next phase.

Adams et al. in view of Elliot does not explicitly disclose wherein the estimated amount of donations is determined based at least in part on completion of each phase.

Christianitytoday.com discloses forming a committee to decide how much money can be raised for the building project and bring those recommendations to the finance committee, which then can put together a financial package that takes into account current and projected debt levels, income from fundraising efforts and loan packages, and makes its own recommendation about the church's financial limitations (Page 4). It would have been obvious to one of ordinary skill in the art at the time the invention was made would have recognized that the results would be predictable when modifying the invention of *Adams et al.*, in view of Elliot to include the features of *Christianitytoday.com* in order to give reasonable and reliable construction financing quotes based on forecasted receipts from the growth trend study and giving analysis.

15. **As per claim 8, *Adams et al.*** does not explicitly disclose wherein determining the potential revenue associated with at least one of the facilities comprises identifying potential donations to be received during one or more fundraising campaigns.

Christianitytoday.com discloses forming a committee to decide how much money can be raised for the building project and bring those recommendations to the finance committee, which then can put together a financial package that takes into account current and projected debt levels, income from fundraising efforts and loan packages, and makes its own recommendation about the church's financial limitations (Page 4). It would have been obvious to one of ordinary skill in the art at the time the invention was made would have recognized that the results would be predictable when modifying the invention of Adams et

al. to include the features of Christianitytoday.com in order to give reasonable and reliable construction financing quotes based on forecasted receipts from the growth trend study and giving analysis.

16. **As per claim 9**, *Adams et al.* disclose the method of claim 8, further comprising: identifying an amount borrowing needed pay for the construction projects (col. 2, lines 51-56); and identifying an amount of debt to be paid off each year (col. 3, lines 26- 36).

17. **As per claim 10**, *Adams et al.* does not disclose receiving alterations of data used from a user to generate the schedule; and showing the user real time how the changes in the altered data affect the schedule.

Elliot discloses that if the user is not satisfied with the cost of the installation, the user can undo the operation and simulate another installation; and if the user is satisfied with the installation, the user computer moves on to the next step, updating and storing the revised graphical model and cost estimate model (col. 6, lines 38-48); and if any feature of the proposal is unsatisfactory, the user can revise the proposal at 126, wherein the user selects the phases and steps he wishes to edit at 128 and edits the proposal at those points (col. 10, lines 40-46). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of *Adams et al.* to include the ability to revise plans as taught by *Elliot* in order to provide the user with the ability to make changes to the construction plans.

18. **As per claim 13**, *Adams et al.* discloses the method of Claim 1, wherein the determined potential revenue associated with at least one of the facilities and the determined cost associated with at least one of the facilities are used to estimate a cash flow.

Adams et al. does not explicitly disclose the cash flow is used to generate the schedule.

Hertzel-Szabadi discloses that the project structure with phases (work breakdown structure elements) and the necessary activities (tasks) have to be defined and costs and potential revenues have to be calculated, timelines to be scheduled and probably personnel and other resources soft-booked, in order to be able to do reasonable and reliable quotations that can be fulfilled in case they are accepted by the customer (paragraph [0003]); and the planning of structures, costs, revenues, resources, timeliness etc. can and will normally be refined and detailed during the life cycle of the project 105 (paragraph [0028]). It would have been obvious to one of ordinary skill in the art at the time the invention was made would have recognized that the results would be predictable when modifying the invention of *Adams et al.* to include the features of *Hertzel-Szabadi* in order to give reasonable and reliable construction financing quotes based on forecasted receipts from the growth trend study and giving analysis.

19. **As per claim 14**, *Adams et al.* discloses the method of Claim 1, wherein the determined cost associated with at least one of the facilities comprises at least one of operating costs, general and administrative expenses, construction costs, and staffing costs associated with at least one of the facilities (abstract).

20. **As per claim 15**, *Adams et al.* disclose a system, comprising:
memory operable to store information identifying a plurality of facilities in a complex, each facility associated with a construction project (col. 1, lines 41-44; col. 3, lines 38-57); and an analysis module operable to:
determine a potential revenue associated with at least one of the facilities (col. 1, lines 41-44; col. 3, lines 38-57);
determine a cost associated with at least one of the facilities (col. 3, lines 2-19).

Adams et al. does not expressly disclose wherein the complex comprises a church and at least one of the facilities comprises an auditorium of the church.

Christianitytoday.com discloses a new sanctuary should seat twice the number of people in your current building (Page 1) {Which the Examiner interprets as estimating growth will be at least twice the number of current people attending church services} ; a formula used to compute the size of a church complex; and spreading the calculations throughout the sanctuary, meeting rooms, nurseries, and educational space of your church complex (page 2); and form a committee to decide how much money can be raised for the building project and bring those recommendations to the finance committee, which then can put together a financial package that takes into account current and projected debt levels, income from fundraising efforts and loan packages, and makes its own recommendation about the church's financial limitations (Page 4). It would have been obvious to one of ordinary skill in the art at the time the invention was made would have recognized that the results would be predictable when modifying the invention of *Adams et al.* to include the features of *Christianitytoday.com* in order to give reasonable and reliable construction financing quotes based on forecasted receipts from the growth trend study and giving analysis.

Adams et al. in view of christianitytoday.com, and further in view of Hertz-Szabadi does not explicitly disclose for each construction project, receiving from a user an identification of one of a plurality of phases during which the construction project would occur.

Elliot discloses in FIG. 2C (126 and 128) that if the proposal needs to be revised, the user chooses the phase and step, and then goes to 104 (FIG. 2C [126],[128]. *Elliot* further discloses for a remodel, the user selects the appropriate phase and step for the remodel (col. 10, lines 6-10). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of *Adams et al.* to include the ability to go through a series of phases and steps to create a complete cost estimate model as taught by *Elliot* in order to get a more detailed construction proposal.

Adams et al. in view of christianitytoday.com, in view of Hertz-Szabadi, in further view of Elliot does not explicitly disclose estimating an amount of donations given to the church during a future time period wherein the estimated amount of donations is based at least in part on the estimated future growth in the number of people attending the church services.

Churchgrowthsoftware.com. discloses software for calculating overall congregation growth and donation trends (page 17 of manual). It would have been obvious to one of ordinary skill in the art at the time the invention was made would have recognized that the results would be predictable when modifying the invention of Adams et al. to include the features of *Churchgrowthsoftware.com* in order to give reasonable and reliable construction financing quotes based on forecasted receipts from the growth trend study and giving analysis.

Adams et al. in view of Christianitytoday.com, and further in view of Hertz-Szabadi., in view of Elliot, and still in further view of Churchgrowthsoftware.com does not explicitly disclose wherein the future growth is determined using at least one growth estimate, wherein the growth estimate uses a past growth rate of the church and a potential growth rate of the church.

Rifaat discloses expansion of the span of time covered by a study is next considered. The collection of historical data, and their analysis, can be extended backward to cover past conditions starting from the time of initial inceptions of human settlement in the area of study, or even to earlier pristine conditions. This usually provides 'insights' that could be 'used' in conceiving schemes for future development. Also, the planning horizon may be extended forward in time beyond 20 years. Although prediction tends to be 'more tenuous' for 'longer' periods of time in the future, the exercise of projecting prevailing trends can be used to 'highlight' potential 'problems'. For example one could project population growth for the next 50 years at a certain prevailing rate, although the rate is not expected to continue that long. This is often done in order to illustrate the potential 'adverse' conditions that might materialize if the particular rate of growth continued ([0050]). It would have been obvious to one of ordinary skill in

the art at the time the invention was made to modify the invention of *Adams et al.* to include the ability of projecting a potential growth rate by studying growth before implementing a future development as taught by *Rifaat* in order to make sure it is feasible to start a new project.

21. **As per claim 16**, *Adams et al.* does not explicitly disclose wherein determining the cost associated with at least one of the facilities comprises:

identifying a size of at least one of the facilities based on the estimated future growth in attendance; and

determining a cost of at least one of the construction projects based on the identified size.

Christianitytoday.com discloses a new sanctuary should seat twice the number of people in your current building (Page 1); a formula used to compute the size of a church complex; and spreading the calculations throughout the sanctuary, meeting rooms, nurseries, and educational space of your church complex (page 2); and form a committee to decide how much money can be raised for the building project and bring those recommendations to the finance committee, which then can put together a financial package that takes into account current and projected debt levels, income from fundraising efforts and loan packages, and makes its own recommendation about the church's financial limitations (Page 4). it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of *Adams et al.* to include the features of *Christianitytoday.com* in order to determine how large a new facility should be built and the funds needed for the construction.

22. **As per claim 17**, *Adams et al.* discloses the system of claim 15 above, but does not specifically disclose identifying the cost of each phase.

Elliot discloses that the user computer organizes these time estimates according to the proper order in a construction project, for example, framing (Phase 5) must be completed before other phases can commence, however,

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some of the following phases can commence simultaneously, such as plumbing and framing (col. 10, lines 34-39; TABLE 1); and after Phase 1 is complete, the application guides the user through the next phase, Phase 2: Begin Site Work in 120 and 122 and in Step 1: Excavation, the application retrieves the square footage of the lot from memory, accesses the regional database, determines average labor rate for excavation subcontractors in that region, determines equipment costs for excavation in that region, and then calculates an estimate for the excavation step, wherein the equipment costs may include rental, fuel, and insurance costs (col. 8, lines 32-44). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of *Adams et al.* to include the feature of *Elliot* in order to provide the user with a cost associated with a phase of the construction in order to be certain the funding is available for the next phase..

Adams et al. in view of Elliot does not explicitly disclose wherein the estimated amount of donations is determined based at least in part on completion of each phase.

Christianitytoday.com discloses forming a committee to decide how much money can be raised for the building project and bring those recommendations to the finance committee, which then can put together a financial package that takes into account current and projected debt levels, income from fundraising efforts and loan packages, and makes its own recommendation about the church's financial limitations (Page 4). It would have been obvious to one of ordinary skill in the art at the time the invention was made would have recognized that the results would be predictable when modifying the invention of *Adams et al.* , in view of *Elliot* to include the features of *Christianitytoday.com* in order to give reasonable and reliable construction financing quotes based on forecasted receipts from the growth trend study and giving analysis.

23. **As per claim 18**, *Adams et al.* discloses the system of Claim 15, wherein: the one or more processors are further collectively operable to:

identify an amount of borrowing needed to pay for the construction projects (col. 2, lines 51-56); and identify an amount of debt to be paid off each year (col. 3, lines 26- 36)..

Adams et al. does not explicitly disclose determining the potential revenue associated with at least one of the facilities by identifying potential donations to be received during one or more fund-raising campaign.

Christianitytoday.com discloses forming a committee to decide how much money can be raised for the building project and bring those recommendations to the finance committee, which then can put together a financial package that takes into account current and projected debt levels, income from fundraising efforts and loan packages, and makes its own recommendation about the church's financial limitations (Page 4). It would have been obvious to one of ordinary skill in the art at the time the invention was made would have recognized that the results would be predictable when modifying the invention of Adams et al. to include the features of *Christianitytoday.com* in order to give reasonable and reliable construction financing quotes based on forecasted receipts from the growth trend study and giving analysis.

24. **As per claim 20**, *Adams et al.* discloses the system of Claim 15, wherein the determined potential revenue associated with at least one of the facilities and the determined cost associated with at least one of the facilities are used to estimate a cash flow.

Adams et al. does not explicitly disclose the cash flow is used to generate the schedule.

Hertzel-Szabadi discloses that the project structure with phases (work breakdown structure elements) and the necessary activities (tasks) have to be defined and costs and potential revenues have to be calculated, timelines to be scheduled and probably personnel and other resources soft-booked, in order to be able to do reasonable and reliable quotations that can be fulfilled in case they are accepted by the customer (paragraph [0003]); and the planning of structures,

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costs, revenues, resources, timeliness etc. can and will normally be refined and detailed during the life cycle of the project 105 (paragraph [0028]). It would have been obvious to one of ordinary skill in the art at the time the invention was made would have recognized that the results would be predictable when modifying the invention of *Adams et al.* to include the features of *Hertzel-Szabadi* in order to give reasonable and reliable construction financing quotes based on forecasted receipts from the growth trend study and giving analysis.

25. **As per claim 21**, *Adams et al.* discloses the system of Claim 15, wherein the determined cost associated with at least one of the facilities comprises at least one of operating costs, general and administrative expenses, construction costs, and staffing costs associated with at least one of the facilities (abstract).

26. **As per claim 22**, *Adams et al.* disclose a system, comprising:

memory operable to store information identifying a plurality of facilities in a complex, each facility associated with a construction project (col. 1, lines 41-44; col. 3, lines 38-57); and an analysis module operable to:

determining a potential revenue associated with at least one of the facilities (col. 1, lines 41-44; col. 3, lines 38-57);

determining a cost associated with at least one of the facilities (col. 3, lines 2-19); and wherein the processor is configured to output the results of the previous steps onto a computer readable medium (col. 4, lines 32-47).

Adams et al. does not expressly disclose wherein the complex comprises a church and at least one of the facilities comprises an auditorium of the church.

Christianitytoday.com discloses a new sanctuary should seat twice the number of people in your current building (Page 1) {Which the Examiner interprets as estimating growth will be at least twice the number of current people attending church services} ; a formula used to compute the size of a church complex; and spreading the calculations throughout the sanctuary, meeting rooms, nurseries, and educational space of your church complex (page 2); and

form a committee to decide how much money can be raised for the building project and bring those recommendations to the finance committee, which then can put together a financial package that takes into account current and projected debt levels, income from fundraising efforts and loan packages, and makes its own recommendation about the church's financial limitations (Page 4). It would have been obvious to one of ordinary skill in the art at the time the invention was made would have recognized that the results would be predictable when modifying the invention of *Adams et al.* to include the features of *Christianitytoday.com* in order to give reasonable and reliable construction financing quotes based on forecasted receipts from the growth trend study and giving analysis.

Adams et al. in view of christianitytoday.com, and further in view of Hertz-Szabadi does not explicitly disclose for each construction project, receiving from a user an identification of one of a plurality of phases during which the construction project would occur.

Elliot discloses in FIG. 2C (126 and 128) that if the proposal needs to be revised, the user chooses the phase and step, and then goes to 104 (FIG. 2C [126],[128]. *Elliot* further discloses for a remodel, the user selects the appropriate phase and step for the remodel (col. 10, lines 6-10). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of *Adams et al.* to include the ability to go through a series of phases and steps to create a complete cost estimate model as taught by *Elliot* in order to get a more detailed construction proposal.

Adams et al. in view of christianitytoday.com, in view of Hertz-Szabadi, in further view of Elliot does not explicitly disclose estimating an amount of donations given to the church during a future time period wherein the estimated amount of donations is based at least in part on the estimated future growth in the number of people attending the church services.

Churchgrowthsoftware.com. discloses software for calculating overall congregation growth and donation trends (page 17 of manual). It would have

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been obvious to one of ordinary skill in the art at the time the invention was made would have recognized that the results would be predictable when modifying the invention of Adams et al. to include the features of *Churchgrowthsoftware.com* in order to give reasonable and reliable construction financing quotes based on forecasted receipts from the growth trend study and giving analysis.

Adams et al. in view of Christianitytoday.com, and further in view of Hertzel-Szabadi, in view of Elliot, and still in further view of Churchgrowthsoftware.com does not explicitly disclose wherein the future growth is determined using at least one growth estimate, wherein the growth estimate uses a past growth rate of the church and a potential growth rate of the church.

Rifaat discloses expansion of the span of time covered by a study is next considered. The collection of historical data, and their analysis, can be extended backward to cover past conditions starting from the time of initial inceptions of human settlement in the area of study, or even to earlier pristine conditions. This usually provides 'insights' that could be 'used' in conceiving schemes for future development. Also, the planning horizon may be extended forward in time beyond 20 years. Although prediction tends to be 'more tenuous' for 'longer' periods of time in the future, the exercise of projecting prevailing trends can be used to 'highlight' potential 'problems'. For example one could project population growth for the next 50 years at a certain prevailing rate, although the rate is not expected to continue that long. This is often done in order to illustrate the potential 'adverse' conditions that might materialize if the particular rate of growth continued ([0050]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of *Adams et al.* to include the ability of projecting a potential growth rate by studying growth before implementing a future development as taught by *Rifaat* in order to make sure it is feasible to start a new project.

27. **As per claim 24, *Adams et al.* disclose a computer program, the computer program comprising:**

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computer readable program for identifying a plurality of facilities in a complex, each facility associated with a construction project (col. 1, lines 41-44; col. 3, lines 38-57);

computer readable program code for determining a potential revenue associated with at least one of the facilities (col. 1, lines 41-44; col. 3, lines 38-57);

computer readable program code for determining a cost associated with at least one of the facilities (col. 3, lines 2-19).

Adams et al. is silent about a computer program embodied on a computer readable medium, however, this feature is deemed to be inherent in the Adams et al. invention in order to run the STAFI system.

Adams et al. does not expressly disclose wherein the complex comprises a church and at least one of the facilities comprises an auditorium of the church.

Christianitytoday.com discloses a new sanctuary should seat twice the number of people in your current building (Page 1) {Which the Examiner interprets as estimating growth will be at least twice the number of current people attending church services} ; a formula used to compute the size of a church complex; and spreading the calculations throughout the sanctuary, meeting rooms, nurseries, and educational space of your church complex (page 2); and form a committee to decide how much money can be raised for the building project and bring those recommendations to the finance committee, which then can put together a financial package that takes into account current and projected debt levels, income from fundraising efforts and loan packages, and makes its own recommendation about the church's financial limitations (Page 4). it would have been obvious to one of ordinary skill in the art at the time the invention was made would have recognized that the results would be predictable when modifying the invention of Adams et al. to include the features of *Christianitytoday.com* in order to give reasonable and reliable construction financing quotes based on forecasted receipts from the growth trend study and giving analysis.

Adams et al. in view of christianitytoday.com, and further in view of Hertz-Szabadi does not explicitly disclose for each construction project, receiving from a user an identification of one of a plurality of phases during which the construction project would occur.

Elliot discloses in FIG. 2C (126 and 128) that if the proposal needs to be revised, the user chooses the phase and step, and then goes to 104 (FIG. 2C [126],[128]. *Elliot* further discloses for a remodel, the user selects the appropriate phase and step for the remodel (col. 10, lines 6-10). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of *Adams et al.* to include the ability to go through a series of phases and steps to create a complete cost estimate model as taught by *Elliot* in order to get a more detailed construction proposal.

Adams et al. in view of christianitytoday.com, in view of Hertz-Szabadi, in further view of Elliot does not explicitly disclose estimating an amount of donations given to the church during a future time period wherein the estimated amount of donations is based at least in part on the estimated future growth in the number of people attending the church services.

Churchgrowthsoftware.com. discloses software for calculating overall congregation growth and donation trends (page 17 of manual). It would have been obvious to one of ordinary skill in the art at the time the invention was made would have recognized that the results would be predictable when modifying the invention of *Adams et al.* to include the features of *Churchgrowthsoftware.com* in order to give reasonable and reliable construction financing quotes based on forecasted receipts from the growth trend study and giving analysis.

Adams et al. in view of Christianitytoday.com, and further in view of Hertz-Szabadi., in view of Elliot, and still in further view of Churchgrowthsoftware.com does not explicitly disclose wherein the future growth is determined using at least one growth estimate, wherein the growth estimate uses a past growth rate of the church and a potential growth rate of the church.

Rifaat discloses expansion of the span of time covered by a study is next considered. The collection of historical data, and their analysis, can be extended backward to cover past conditions starting from the time of initial inceptions of human settlement in the area of study, or even to earlier pristine conditions. This usually provides 'insights' that could be 'used' in conceiving schemes for future development. Also, the planning horizon may be extended forward in time beyond 20 years. Although prediction tends to be 'more tenuous' for 'longer' periods of time in the future, the exercise of projecting prevailing trends can be used to 'highlight' potential 'problems'. For example one could project population growth for the next 50 years at a certain prevailing rate, although the rate is not expected to continue that long. This is often done in order to illustrate the potential 'adverse' conditions that might materialize if the particular rate of growth continued ([0050]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of *Adams et al.* to include the ability of projecting a potential growth rate by studying growth before implementing a future development as taught by *Rifaat* in order to make sure it is feasible to start a new project.

28. **As per claim 26**, *Adams et al.* does not explicitly disclose wherein determining the cost associated with at least one of the facilities comprises:

computer readable program code for identifying a size of at least one of the facilities based on the estimated future growth in attendance; and

computer readable program code for determining a cost of at least one of the construction projects based on the identified size.

Christianitytoday.com discloses a new sanctuary should seat twice the number of people in your current building (Page 1); a formula used to compute the size of a church complex; and spreading the calculations throughout the sanctuary, meeting rooms, nurseries, and educational space of your church complex (page 2); and form a committee to decide how much money can be raised for the building project and bring those recommendations to the finance

committee, which then can put together a financial package that takes into account current and projected debt levels, income from fundraising efforts and loan packages, and makes its own recommendation about the church's financial limitations (Page 4). it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Adams et al. to include the features of Christianitytoday.com in order to determine how large a new facility should be built and the funds needed for the construction.

29. **As per claim 27**, Adams et al. discloses the method of claim 24 above, but does not specifically disclose identifying the cost of each phase.

Elliot discloses that the user computer organizes these time estimates according to the proper order in a construction project, for example, framing (Phase 5) must be completed before other phases can commence, however, some of the following phases can commence simultaneously, such as plumbing and framing (col. 10, lines 34-39; TABLE 1); and after Phase 1 is complete, the application guides the user through the next phase, Phase 2: Begin Site Work in 120 and 122 and in Step 1: Excavation, the application retrieves the square footage of the lot from memory, accesses the regional database, determines average labor rate for excavation subcontractors in that region, determines equipment costs for excavation in that region, and then calculates an estimate for the excavation step, wherein the equipment costs may include rental, fuel, and insurance costs (col. 8, lines 32-44). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Adams et al. to include the feature of Elliot in order to provide the user with a cost associated with a phase of the construction in order to be certain the funding is available for the next phase.

Adams et al. in view of Elliot does not explicitly disclose wherein the estimated amount of donations is determined based at least in part on completion of each phase.

Christianitytoday.com discloses forming a committee to decide how much money can be raised for the building project and bring those recommendations to the finance committee, which then can put together a financial package that takes into account current and projected debt levels, income from fundraising efforts and loan packages, and makes its own recommendation about the church's financial limitations (Page 4). It would have been obvious to one of ordinary skill in the art at the time the invention was made would have recognized that the results would be predictable when modifying the invention of *Adams et al.*, in view of Elliot to include the features of *Christianitytoday.com* in order to give reasonable and reliable construction financing quotes based on forecasted receipts from the growth trend study and giving analysis.

30. **As per claim 28**, *Adams et al.* discloses the system of Claim 24, wherein the computer program comprises:

computer readable program code for identifying an amount of borrowing needed to pay for the construction projects (col. 2, lines 51-56); and computer readable program code for identifying an amount of debt to be paid off each year (col. 3, lines 26- 36)..

Adams et al. does not explicitly disclose identifying a potential revenue associated with at least one of the facilities by identifying potential donations to be received during one or more fund-raising campaign.

Christianitytoday.com discloses forming a committee to decide how much money can be raised for the building project and bring those recommendations to the finance committee, which then can put together a financial package that takes into account current and projected debt levels, income from fundraising efforts and loan packages, and makes its own recommendation about the church's financial limitations (Page 4). It would have been obvious to one of ordinary skill in the art at the time the invention was made would have recognized that the results would be predictable when modifying the invention of *Adams et al.* to include the features of *Christianitytoday.com* in order to give reasonable

and reliable construction financing quotes based on forecasted receipts from the growth trend study and giving analysis.

31. **As per claim 30**, *Adams et al.* discloses the computer program of Claim 24, wherein the determined potential revenue associated with at least one of the facilities and the determined cost associated with at least one of the facilities are used to estimate a cash flow.

Adams et al. does not explicitly disclose the cash flow is used to generate the schedule.

Hertzel-Szabadi discloses that the project structure with phases (work breakdown structure elements) and the necessary activities (tasks) have to be defined and costs and potential revenues have to be calculated, timelines to be scheduled and probably personnel and other resources soft-booked, in order to be able to do reasonable and reliable quotations that can be fulfilled in case they are accepted by the customer (paragraph [0003]); and the planning of structures, costs, revenues, resources, timeliness etc. can and will normally be refined and detailed during the life cycle of the project 105 (paragraph [0028]). It would have been obvious to one of ordinary skill in the art at the time the invention was made would have recognized that the results would be predictable when modifying the invention of *Adams et al.* to include the features of *Hertzel-Szabadi* in order to give reasonable and reliable construction financing quotes based on forecasted receipts from the growth trend study and giving analysis.

32. **As per claim 31**, *Adams et al.* discloses the computer program of Claim 1, wherein the determined cost associated with at least one of the facilities comprises at least one of operating costs, general and administrative expenses, construction costs, and staffing costs associated with at least one of the facilities (abstract).

33. **As per claim 34, Adams et al.** do not expressly disclose estimating the future growth in the number of people attending the church services comprises: limiting a future growth prediction to no more than a specified percentage during a portion of one or more of the phases; and enforcing a different maximum growth rate for the future growth prediction during other times.

Churchgrowthsoftware.com discloses custom report generation (page 1). *Churchgrowthsoftware.com* further discloses software for calculating overall congregation growth and donation trends (page 17 of manual); and software is licensed by the number of individual names stored in the CGS database (page 3) {which the Examiner interprets as limiting the future growth potential to no more than the number of names that can be stored }. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Adams et al. to include the features of *Churchgrowthsoftware.com* in order to give reasonable and reliable quotations based on donations forecasted from growth trend studies and giving analyses performed.

34. **Claims 11, 19, 23 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adams et al. (US 6,154,730), in view of Christianitytoday.com, in further view of Hertzel-Szabadi (US PG Pub. 2003/0233267), further in view of Elliot (US 6,446,053), still in further view of Churchgrowthsoftware.com, still in further view of Rifaat (US PG Pub. 2002/0147623) as applied to claims 1, 15, 22, and 24 above, and further in view of view of Gordon (US PG Pub. 2002/0099725); still in further view of Wakelam (US 6,859,768).**

35. **As per claim 11, Adams et al.** do not disclose receiving a constraint on data used to generate the schedule from a user.

Gordon discloses the system 10 may further include at least one interactive module 22 that allows the master customer to fill out a profile, on-line, regarding demographic information, financial constraints, and other personnel preferences, such as overall style preference, color preference and others.

Based on the input information, the interactive module provides a list of suitable choices, selections or suggestions. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Adams et al. to include the feature of Gordon for the purpose of permitting the user to apply different scenarios to schedules.

Adams et al. in view of Gordon, does not specifically disclose and showing the user in real time how at least one change in the altered data and constraint affects the schedule.

Wakelam et al. disclose that the Interview massing element 201 gathers some basic information regarding the project and allows the user to change some high-level parameters of the building design and then controls the assembly hierarchy to produce a full-scale, three-dimensional model of the building, complete with drawings, specifications cost estimation, and schedule (col. 13, lines 34-50; FIG. 1-1a). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of *Adams et al.* to include the features of *Wakelam et al.* in order to provide the user to use what-if scenarios to get a variety of estimates for cost and completion dates.

36. **As per claim 19**, Adams et al. do not disclose receiving alterations of data used to generate the schedule from a user.

Gordon discloses the system 10 may further include at least one interactive module 22 that allows the master customer to fill out a profile, on-line, regarding demographic information, financial constraints, and other personnel preferences, such as overall style preference, color preference and others. Based on the input information, the interactive module provides a list of suitable choices, selections or suggestions. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Adams et al. to include the feature of Gordon for the purpose of permitting the user to apply different scenarios to schedules.

Adams et al. in view of *Gordon*, does not specifically disclose and showing the user in real time how the altered data affects the schedule.

Wakelam et al. disclose that the Interview massing element 201 gathers some basic information regarding the project and allows the user to change some high-level parameters of the building design and then controls the assembly hierarchy to produce a full-scale, three-dimensional model of the building, complete with drawings, specifications cost estimation, and schedule (col. 13, lines 34-50; FIG. 1-1a). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of *Adams et al.* to include the features of *Wakelam et al.* in order to provide the user to use what-if scenarios to get a variety of estimates for cost and completion dates.

37. **As per claim 23**, *Adams et al.* do not disclose a constraints module operable to receive a constraint on data used to generate the schedule from a user.

Gordon discloses the system 10 may further include at least one interactive module 22 that allows the master customer to fill out a profile, on-line, regarding demographic information, financial constraints, and other personnel preferences, such as overall style preference, color preference and others. Based on the input information, the interactive module provides a list of suitable choices, selections or suggestions. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of *Adams et al.* to include the feature of *Gordon* for the purpose of permitting the user to apply different scenarios to schedules.

Adams et al. in view of *Gordon*, does not specifically disclose an optimization module operable to show the user in real time how the constraint affects the schedule.

Wakelam et al. disclose that the Interview massing element 201 gathers some basic information regarding the project and allows the user to change

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some high-level parameters of the building design and then controls the assembly hierarchy to produce a full-scale, three-dimensional model of the building, complete with drawings, specifications cost estimation, and schedule (col. 13, lines 34-50; FIG. 1-1a). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Adams et al. to include the features of Wakelam et al. in order to provide the user to use what-if scenarios to get a variety of estimates for cost and completion dates.

38. **As per claim 29**, Adams et al. do not disclose receiving alterations of data used to generate the schedule from a user.

Gordon discloses the system 10 may further include at least one interactive module 22 that allows the master customer to fill out a profile, on-line, regarding demographic information, financial constraints, and other personnel preferences, such as overall style preference, color preference and others. Based on the input information, the interactive module provides a list of suitable choices, selections or suggestions. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Adams et al. to include the feature of *Gordon* for the purpose of permitting the user to apply different scenarios to schedules.

Adams et al. in view of *Gordon*, does not specifically disclose and showing the user in real time how at least one change in the altered data and constraint affects the schedule.

Wakelam et al. disclose that the Interview massing element 201 gathers some basic information regarding the project and allows the user to change some high-level parameters of the building design and then controls the assembly hierarchy to produce a full-scale, three-dimensional model of the building, complete with drawings, specifications cost estimation, and schedule (col. 13, lines 34-50; FIG. 1-1a). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of

Adams et al. to include the features of *Wakelam et al.* in order to provide the user to use what-if scenarios to get a variety of estimates for cost and completion dates.

39. Claims 12, 32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adams et al. (US 6,154,730), in view of Christianitytoday.com, in further view of Hertzel-Szabadi (US PG Pub. 2003/0233267), further in view of Elliot (US 6,446,053), still in further view of Churchgrowthsoftware.com, still in further view of Rifaat (US PG Pub. 2002/0147623), as applied to claims 1, 15, 22 and 24 above, and still in further view of "How Much Can They Give."

40. **As per claim 12,** *Adams et al.* does not disclose the estimated amount of donations is determined using a factor defining, a rate at which one of a plurality of newer members of the church generally donate compared to the rate of one of a plurality of older members of the church.

Churchgrowthsoftware.com. discloses software for calculating overall congregation growth and donation trends (page 17 of manual).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Adams et al. to include the feature of *Churchgrowthsoftware.com* in order to give reasonable and reliable quotations based on donations forecasted from growth trend studies and giving analyses performed.

Adams et al. in view of Churchgrowthsoftware.com does not specifically disclose defining a rate at which the newer members of the church generally donate compared to older members of the church.

"How much Can They Give" discloses churches with older members often raise more funds for a special project because seniors have disposable income (page 2, 3rd ¶). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of *Adams et al.* to

include the features of "*How Much Can They Give*" in order to provide and analysis of giving trends amongst members for feasibility studies.

41. **As per claim 32**, Adams et al. does not disclose the estimated amount of donations is determined using a factor defining, a rate at which one of a plurality of newer members of the church generally donate compared to the rate of one of a plurality of older members of the church.

Churchgrowthsoftware.com. discloses software for calculating overall congregation growth and donation trends (page 17 of manual). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Adams et al. to include the feature of Churchgrowthsoftware.com in order to give reasonable and reliable quotations based on donations forecasted from growth trend studies and giving analyses performed.

Adams et al. in view of Churchgrowthsoftware.com does not specifically disclose defining a rate at which the newer members of the church generally donate compared to older members of the church.

"How much Can They Give" discloses churches with older members often raise more funds for a special project because seniors have disposable income (page 2, 3rd ¶). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Adams et al. to include the features of "How Much Can They Give" in order to provide and analysis of giving trends amongst members for feasibility studies.

42. **As per claim 33**, *Adams et al.* does not disclose the estimated amount of donations is determined using a factor defining, a rate at which one of a plurality of newer members of the church generally donate compared to the rate of one of a plurality of older members of the church.

Churchgrowthsoftware.com. discloses software for calculating overall congregation growth and donation trends (page 17 of manual). It would have

been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Adams et al. to include the feature of Churchgrowthsoftware.com in order to give reasonable and reliable quotations based on donations forecasted from growth trend studies and giving analyses performed.

Adams et al. in view of Churchgrowthsoftware.com does not specifically disclose defining a rate at which the newer members of the church generally donate compared to older members of the church.

"How much Can They Give" discloses churches with older members often raise more funds for a special project because seniors have disposable income (page 2, 3rd ¶). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Adams et al. to include the features of *"How Much Can They Give"* in order to provide and analysis of giving trends amongst members for feasibility studies.

Conclusion

43. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Freda A. Nelson whose telephone number is (571) 272-7076. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/F. A. N./

Examiner, Art Unit 3628

/FRED A. NELSON/

Examiner, Art Unit 3628